

Senate, entitled "An act to amend an act entitled an act to amend Section 1 of an act making the Alafia river in Hillsborough county a navigable stream," approved January 30, 1885, being Chapter 3672, Laws of Florida, with my objections thereto, to be filed in your office and laid before the Legislature at its next session.

The act of 1885 thus sought to be amended by the bill declares the Alafia river to be a navigable stream. The bill under consideration proposes to amend the said act so as to declare the Alafia river to be a navigable stream from the county bridge on said river to where it empties into Hillsborough bay.

I am informed that the said river is navigable in fact for some distance above the county bridge. The question of navigability or non-navigability materially affects public and private rights. The navigable waters of the State are public highways, which may be used for the transportation of persons and property. Besides which the property of the State in the beds of certain navigable streams is of great value by reason of phosphate deposits, and such is particularly the case in the Alafia river, in the bed of which a company has been mining for some time, without complying with the statutes granting such privilege, and against which legal proceedings have been instituted and are now pending to protect the rights of the State. Other companies have organized for the purpose of mining phosphates in the bed of the said river under contract with the State.

The existing law declaring the Alafia river navigable could not, in my opinion, be construed as extending the limit of its navigability beyond the point where it is navigable—in fact, it cannot interfere with existing public or private rights. Whereas the implied restriction of the navigable portion of the river in the legislative declaration contained in the bill may seriously impair the rights of the State.

For the above reasons I have withheld my signature from the bill.

FRANCIS P. FLEMING

Governor.

Mr. McKinne moved that the acts returned to the Senate by the Secretary of State and the Governor's objections thereto lay over until to-morrow;

Which was agreed to, and so ordered.

The Senate thereupon, on motion of Mr. Summers, adjourned until 10 o'clock A. M. Friday, April 7, 1893.

FRIDAY, APRIL 7, 1893.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Baya, Blitch, Borden, Bristol, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Reeves, Rosborough, Smith, St. Clair Abrams, Summers, Thomas, Wadsworth, Weeks, Whidden, Williamson, Wolfe—30.

A quorum present.

Prayer by the Chaplain.

Mr. Wolfe moved that the reading of the Journal be dispensed with;

Which was agreed to.

The Journal was corrected and approved.

INTRODUCTION OF RESOLUTIONS.

By Mr. Farmer:

Senate Concurrent Resolution No. 10;

Which was read as follows:

Resolved by the Senate, the House of Representatives concurring, That a committee of one from the Senate and two (2) from the House be appointed to visit and examine into the condition, the books and records of the State Insane Asylum at Chattahoochee, with power to send for persons and papers.

Laid over under the rules.

By Mr. Blitch:

Senate Concurrent Resolution No. 11;

Which was read as follows:

Resolved by the Senate, the House concurring, That a committee of one from the Senate and two from the House, be appointed to inquire into the working and management of the operations of the State Board of Phosphate Commissioners, to investigate their books and accounts, and make report to both branches of this Legislature, and that said committee be empowered to employ such clerical aid as may be necessary.

Laid over under the rules.

By Mr. Grady:

Senate Concurrent Resolution No. 12;

Which was read as follows:

Resolved by the Senate, the House of Representatives con-

curring, That a committee of one from the Senate and two (2) from the House be appointed to visit and examine into the condition of the East and West Florida Seminaries and the State Normal School at DeFuniak Springs.

Laid over under the rules.

INTRODUCTION OF BILLS.

By Mr. Grady:

Senate Bill No. 25:

A bill to be entitled an act to abolish the corporation of the city of Apalachicola, and to incorporate the same.

Mr. Grady moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on City and County Organization.

By Mr. McKay:

Senate Bill No. 26:

A bill to be entitled an act to establish a Criminal Court of Record for Hillsborough county.

Mr. McKay moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Browne:

Senate Bill No. 27:

A bill to be entitled an act to appropriate the unexpended balance from the Immigration Fund for the purpose of procuring exhibits for the World's Columbian Exposition.

Mr. Browne moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Appropriations.

By Mr. Wadsworth:

Senate Bill No. 28:

A bill to be entitled an act to amend Chapter 5, Article 4, Section 1391, of the Revised Statutes of Florida.

Mr. Wadsworth moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Smith:

Senate Bill No. 29:

A bill to be entitled an act to require railroad companies operating lines of railroad in the State to erect cattle guards and crossings in certain cases.

Mr. Smith moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Railroads.

By Mr. Marks:

Senate Bill No. 30.

A bill to be entitled an act relating to jurors.

Mr. Marks moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Wolfe:

Senate Bill No. 31:

A bill to be entitled an act to dispense with seals and scrawls upon instruments of writing and to validate instruments heretofore made without them.

Mr. Wolfe moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Williamson:

Senate Bill No. 32:

A bill to be entitled an act to prevent lawlessness and to regulate carrying, ownership and use of all kinds of pistols and repeating rifles in this State.

Mr. Williamson moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Browne:

Senate Bill No. 33:

A bill to be entitled an act to create and establish a State Bureau of Vital Statistics for the State of Florida, and to increase the efficiency of the State Board of Health.

Mr. Browne moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Public Health.

By Mr. Browne:

Senate Bill No. 34:

A bill to be entitled an act to provide for the collection of vital statistics in the several counties of the State of Florida.

Mr. Browne moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Public Health.

By Mr. Baya:

Senate Bill No. 35:

A bill to be entitled an act that the payment of a poll tax shall not be a prerequisite to jury duty.

Mr. Baya moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Calhoun:

Senate Bill No. 36:

A bill to be entitled an act to punish the larceny, killing, wounding or injury of dogs.

Mr. Calhoun moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

Mr. McKinne moved that when in the regular order of business the introduction of bills is reached, that the Secretary call the roll, and that each Senator, when his name is called, rise and present his bill, if he has any;

Which was agreed to, and so ordered.

Senator Summers was excused from attendance until Monday.

CONSIDERATION OF RESOLUTIONS.

Senate Resolution No. 3:

Providing for the appointment of a special committee, to be known as the Committee on Constitutional Amendments,

Was read the second time.

Mr. Williamson moved that the resolution be adopted;

Which was agreed to.

Senate Resolution No. 2:

Directing the Secretary of State to furnish members of the Senate with a copy of the Revised Statutes of Florida,

Was read the second time.

Mr. Blitch moved that the resolution be adopted.

Mr. McKay offered the following amendment:

That the Secretary of State be requested to furnish eight copies of the Revised Statutes of the State of Florida for use of the Senate during the session, and they be placed in charge of the Sergeant-at-Arms, and on adjournment of the Legislature they be returned to the Secretary of State's office.

Mr. Blitch accepted the amendment.

Mr. Blitch moved that the resolution, as amended, be adopted;

Which was agreed to, and the resolution, as amended, was adopted.

Senate Concurrent Resolution No. 6:

Providing for the appointment of a committee of two from the Senate, and three from the House, to visit the Deaf and Blind Asylum at St. Augustine,

Was read the second time.

Mr. Broome moved to amend by inserting "one" from the Senate, and "two" from the House.

Mr. Summers moved that the amendment be adopted;

Which was agreed to.

Mr. Blitch moved that the resolution as amended be adopted;

Which was agreed to, and the resolution as amended was adopted.

Senate Concurrent Resolution No. 7:

Providing for the appointment of a committee to visit and inquire into the management and condition of the State Agricultural College and Experimental Station, and the East and West Florida Seminaries,

Was read the second time.

Mr. Baya moved that the resolution be adopted.

Mr. McKay moved that the resolution be laid on the table;

Which was not agreed to.

Mr. McKinne moved to amend by striking out "two" and inserting "one," and striking out "three" and inserting "two;"

Which was agreed to, and the amendment was adopted.

Mr. Reeves moved to further amend by inserting "and the State Normal School at DeFuniak Springs;"

Which was agreed to, and the amendment was adopted.

Mr. McKinne moved that the resolution as amended be adopted;

Which was agreed to, and the resolution as amended was adopted.

Senate Concurrent Resolution No. 8:

Limiting the number of all committees visiting State institutions,

Was read the second time.

Mr. Broome moved that the resolution be adopted;

Which was agreed to, and the resolution was adopted.

Senate Concurrent Resolution No. 9:

Requesting Senators and members of Congress from Florida to urge upon the Secretary of the Treasury of the United States the advisability of using first-class red pressed brick in the construction of the outer walls of the United States court house and post office in Tallahassee,

Was read the second time.

Mr. Wolfe moved that the resolution be adopted;

Which was agreed to, and the resolution was adopted.

House Concurrent Resolution No. 1:

Relative to the appointment of a committee to examine the books of the Treasurer and Comptroller,

Was read the second time.

Mr. McKinne moved that the resolution lay on the table for the present;

Which was agreed to, and so ordered.

Pending further consideration of resolutions,

A message from the House of Representatives was received.

After which consideration of resolutions was proceeded with.

House Concurrent Resolution No. 8:

Providing for the appointment of a committee to examine into the status of the Florida Agricultural College and Experimental Station at DeFuniak Springs and Fort Myers.

Mr. Baya moved to lay on the table temporarily;

Which was agreed to, and so ordered.

Mr. Baya moved that the rules be waived and that

Senate Concurrent Resolution No. 6:

Providing for the appointment of a committee to visit the Deaf and Blind Asylum at St. Augustine,

Be certified to the House immediately;

Which was agreed to, and so ordered.

Mr. Wolfe moved that the rules be waived and that—

Senate Concurrent Resolution No. 9:

Requesting Senators and members of Congress from Florida to urge upon the Secretary of the Treasury of the United States the advisability of using first-class red pressed brick in the construction of the outer walls of the United States court house and post office in Tallahassee,

Be certified to the House immediately;

Which was agreed to, and so ordered.

By permission Mr. McKinne introduced

Senate Bill No. 37:

A bill to be entitled an act to prescribe the fees for recording certain chattel mortgages.

Mr. McKinne moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

By permission Mr. Farmer introduced

Senate Bill No. 38:

A bill to be entitled an act to require the funds of the State to be kept in the State treasury.

Mr. Farmer moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Finance and Taxation.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., April 7, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate, that the House of Representatives has adopted—

House Concurrent Resolution No. 9:

Relative to the number of members composing visiting committees,

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., April 7, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

House Concurrent Resolution No. 7:

Providing for a visiting committee to the Deaf and Dumb Asylum at St. Augustine,
And respectfully request the concurrence of the Senate thereto.

Very respectfully,
WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Also the following :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 7, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

House Concurrent Resolution No. 5:

To appoint a committee to examine the books and accounts of the office of Commissioner of Agriculture,

And respectfully request the concurrence of the Senate thereto.

Very respectfully,
WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Also the following :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 7, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

House Concurrent Resolution No. 4:

Relative to the appointment of a joint committee to take into consideration the salary of officers and attaches of the Legislature.

Very respectfully,
WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Which were received and placed among the orders of the day.

Mr. Browne, Chairman of Special Committee on Rules,

moved that the rules submitted by the committee yesterday be adopted;

Which was agreed to, and the rules submitted were adopted.

Mr. Browne moved that two hundred copies of the rules be printed in pamphlet form for the use of the Senators;

Which was agreed to, and so ordered.

Mr. McKay moved that the message of Governor F. P. Fleming, submitted through the Secretary of State to the Senate yesterday, vetoing:

An act to amend an act entitled an act to amend Section 1 of an act making the Alafia river, in Hillsborough county, a navigable stream, approved January 30, 1885, being Chapter 3672, Laws of Florida,

Be taken up for consideration;

Which was agreed to, and the message was read.

The Chair put the question—

Will the Senate pass the bill the Governor's objections to the contrary notwithstanding?

The roll was called and the vote stood:

Yeas—Messrs. Blitch, Borden, Bristol, Broome, Browne, Calhoun, Genovar, Grady, Johnson, Marks, McKay, McKinne, McLeran, Morrow, Reeves, Rosborough, Smith, St. Clair Abrams, Summers, Thomas, Wadsworth, Weeks, Whidden, Williamson, Wolfe—25.

Nays—Messrs. Baya, Farmer, Fleming, McKinney—4.

So the Senate passed the bill over the Governor's objection.

Also,

The message of Governor Fleming submitted through the Secretary of State to the Senate yesterday, vetoing

An act to prevent adulteration in food and medical products.

Was taken up for consideration.

After the message was read, the Chair put the question:

Will the Senate pass the bill, the Governor's objection to the contrary notwithstanding?

The roll was called, and the vote stood:

Yeas—Messrs. Borden, Bristol, Broome, Browne, Genovar, Johnson, McKinne, Morrow, Smith, Summers, Wadsworth, Weeks—12.

Nays—Messrs. Baya, Blitch, Calhoun, Farmer, Fleming, Grady, Marks, McKay, McKinney, McLeran, Reeves, Rosborough, St. Clair Abrams, Thomas, Whidden, Williamson, Wolfe—17.

So the Senate refused to pass the bill over the Governor's objection.

By permission Mr. Calhoun introduced
Senate Bill No. 39:

A bill to be entitled an act to authorize the appointment of acting county Solicitors of the Criminal Courts of Record in the various counties of the State of Florida, wherever there shall be a vacancy in the office of County Solicitor, or in the absence from the county of the Solicitor or his inability to perform the duties of his office.

Mr. Calhoun moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

By permission Mr. Baya introduced
Senate Bill No. 40:

A bill to be entitled an act amending an act entitled an act to provide an annuity for disabled soldiers and sailors of the State of Florida.

Mr. Baya moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Militia.

The President announced the appointment of the following Senators to serve on the Special Committee on Constitutional Amendments:

Messrs. St. Clair Abrams, McKinne, 4th, Wolfe, Myers and Summers.

The President announced reference of the Governor's message submitted yesterday to the several committees, as follows:

On matters relating to—

State Debt, to Committee on Finance and Taxation.

Finances, to Committee on Finance and Taxation.

Taxation, to Committee on Finance and Taxation.

State Prison, to Committee on State Affairs.

Insane Asylum, to Committee on State Affairs.

Deaf and Dumb and Blind Institution, to Committee on Education.

Education, to Committee on Education.

Agricultural College, to Committee on Education.

Seminaries and Normal Schools, to Committee on Education.

Indian War Claims, to Committee on Claims.

Railroads, to Committee on Railroads.

Corporations, to Committee on Corporations.

Canals and Telegraphs, to Committee on Canals and Telegraphs.

Militia, to Committee on Militia.

Agriculture, to Committee on Agriculture.

Fish, to Committee on Fisheries.

Public Printing, to Committee on Printing.

Crimes, to Committee on Judiciary.

Criminal Prosecutions, to Committee on Judiciary.

State Attorneys, to Committee on Judiciary.

Jurors and Witnesses, to Committee on Judiciary.

Pardons and Reprieves, to Committee on Judiciary.

Quarantine, to Committee on Public Health.

Insurance Companies and Sleeping Cars, to Committee on Finance and Taxation.

State Chemist, to Committee on Agriculture.

Phosphates, to Committee on Finance and Taxation.

Direct Tax Fund, to Committee on Appropriations.

By permission Mr. Browne introduced:

Senate Bill No. 41:

A bill to be entitled an act to empower the Governor, Treasurer and Comptroller to borrow money for State purposes.

Mr. Browne moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Appropriations.

The Senate thereupon, on motion of Mr. Wolfe, adjourned until 10 o'clock A. M. Saturday, April 8, 1893.

SATURDAY, APRIL 8, 1893.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Blich, Borden, Bristol, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Reeves, Rosborough, Smith, St. Clair Abrams, Thomas, Wadsworth, Weeks, Whidden, Williamson and Wolfe—28.

A quorum present.

Prayer by the Chaplain.

The Journal was approved.